

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KAMRAN KHAN,)	
)	
Complainant,)	
)	
vs.)	Case No. CIV-06-888-M
)	
MICHAEL CHERTOFF, Secretary,)	
Department of Homeland Security,)	
)	
Respondent.)	

ORDER

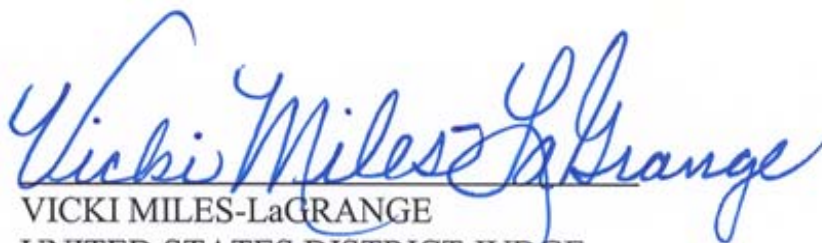
Before the Court is respondent's Motion to Dismiss for Mootness, filed August 15, 2007. On August 20, 2007, complainant filed his response. Based upon the parties' submissions, the Court makes its determination.

On August 22, 2006, complainant filed the instant action seeking a Writ of Mandamus compelling the U.S. Citizenship and Immigration Service ("USCIS") to review and adjudicate complainant's Form I-129F Application for a K-3 Visa. On August 3, 2007, USCIS denied complainant's Form I-129F Application. Based upon the denial of complainant's application, respondent moves to dismiss this action for mootness.

"[A] case is moot when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome." *Powell v. McCormack*, 395 U.S. 486, 496 (1969). Because complainant's Form I-129F Application has now been reviewed and adjudicated, and because this was the specific relief complainant sought through his Complaint for Writ of Mandamus, the Court finds that the issues presented in the Complaint for Writ of Mandamus are no longer "live" and that this action should be dismissed as moot.

Accordingly, the Court GRANTS respondent's Motion to Dismiss for Mootness [docket no. 35].

IT IS SO ORDERED this 26th day of September, 2007.


VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE